

## **REMARKS**

### **I. Status of Claims**

Applicant replies to the Office Action dated January 22, 2007 within the 31 day shortened statutory period for reply. Applicant amends claim 27, 30, and 37, adds claims 49-58, and cancels claims 16-26. Claims 27-40, 44, and 47-58 are now pending in the application. Support for the amendments may be found in the originally-filed specification, claims, and figures. No new matter has been introduced by these amendments and new claims. Reconsideration is respectfully requested.

### **II. The Restriction Requirement**

The Examiner has asserted a Restriction Requirement under 35 U.S.C. § 121 requiring restriction of the application in the following Groups:

I. Claims 16-26

II. Claims 27-40, 44, 47 and 48

Applicant respectfully submits that examination of all the claims previously pending would not have posed an undue burden on the Examiner. Section 803 of The Manual of Patent Examining Procedure states that "[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." Nonetheless, to expedite prosecution of this application, Applicant has selected Group II for examination on the merits and cancelled the claims in Group 1. Applicant does not acquiesce to the Examiner's foundation for the Restriction Requirement as set forth in the Office Action. Accordingly, the foregoing election is made with traverse without waiver, estoppel or without prejudice to the filing of one or more related applications directed to the subject matter of the canceled claims.

Applicant adds dependent claims 49-58 for the Examiner's consideration. These claims are similar to cancelled claims 1-16 except they depend from claim 27. Claims 30, 37, and 44 are amended to more clearly recite what Applicant regards as his invention and to correct minor typographical errors. As such, these claims should be examined with the existing claims and

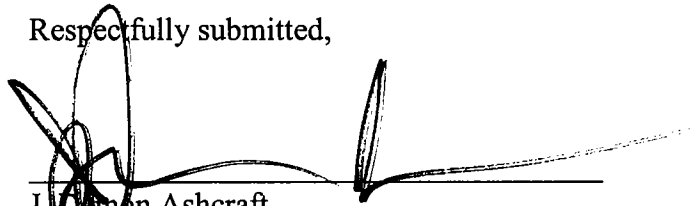
Applicant respectfully requests such examination. Applicant asserts that these new claims do not contain new matter.

**CONCLUSION**

In view of the above remarks and amendments, Applicant respectfully submits that all pending claims properly set forth that which Applicant regards as his invention and are allowable. Accordingly, Applicant respectfully requests allowance of the pending claims. The Examiner is invited to telephone the undersigned at the Examiner's convenience, if that would help further prosecution of the subject application. Applicant authorizes and respectfully requests that any fees due or overpayments be charged or credited to Deposit Account No. 19-2814.

Dated: 2/12/07

Respectfully submitted,

  
J. Simon Ashcraft  
Reg. No. 51,024

**SNELL & WILMER L.L.P.**  
400 E. Van Buren  
One Arizona Center  
Phoenix, Arizona 85004  
Phone: 602-382-6389  
Fax: 602-382-6070  
Email: dashcraft@swlaw.com